

AN ACT

relating to an adult high school diploma and industry certification charter school pilot program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 29.259, Education Code, is amended by amending Subsections (d) and (i) and adding Subsections (n), (o), (p), (q), and (r) to read as follows:

(d) Notwithstanding any other law and in addition to the number of charters allowed under Subchapter D, Chapter 12, the commissioner [~~a charter under the pilot program~~] may, on the basis of an application submitted, grant a charter under the pilot program [~~be granted~~] to a single nonprofit entity described by Subsection (e) to provide an adult education program for [~~not more than 150~~] individuals described by Subsection (g) to successfully complete:

- (1) a high school program that can lead to a diploma;
- and
- (2) career and technology education courses that can lead to industry certification.

(i) A charter granted under this section must:

- (1) include a description of the adult education program to be offered under this section; and
- (2) establish specific, objective standards for receiving a high school diploma, including:

1 (A) successful completion of:

2 (i) if applicable to the program
3 participant, the curriculum requirements under Section 28.025; or

4 (ii) the appropriate curriculum
5 requirements applicable to the program participant; and

6 (B) satisfactory performance on the standardized
7 secondary exit-level assessment instrument described by Subsection
8 (c).

9 (n) An adult education program operated under a charter
10 granted under this section is subject to:

11 (1) a provision of this title establishing a criminal
12 offense; and

13 (2) a prohibition, restriction, or requirement, as
14 applicable, imposed by this title or a rule adopted under this
15 title, relating to:

16 (A) the Public Education Information Management
17 System (PEIMS) to the extent necessary as determined by the
18 commissioner to monitor compliance with this section and, as
19 applicable, Subchapter D, Chapter 12;

20 (B) criminal history records under Subchapter C,
21 Chapter 22;

22 (C) high school graduation requirements under
23 Section 28.025, to the extent applicable to a program participant;

24 (D) special education programs under Subchapter
25 A, Chapter 29;

26 (E) bilingual education under Subchapter B,
27 Chapter 29;

1 (F) health and safety under Chapter 38;

2 (G) the requirement under Section 21.006 to
3 report an educator's misconduct; and

4 (H) the right of an employee to report a crime, as
5 provided by Section 37.148.

6 (o) The commissioner shall develop and adopt performance
7 frameworks that establish standards by which to measure the
8 performance of an adult high school program operated under a
9 charter granted under this section in a manner consistent with the
10 requirements provided for an open-enrollment charter school under
11 Sections 12.1181(a) and (b). The commissioner shall include in the
12 performance frameworks adopted under this subsection the following
13 performance indicators:

14 (1) the percentage of program participants who
15 performed satisfactorily on the standardized secondary exit-level
16 assessment instrument described by Subsection (c);

17 (2) the percentage of program participants who
18 successfully completed the high school program and earned a high
19 school diploma;

20 (3) the percentage of program participants who
21 successfully completed career and technology education courses and
22 obtained industry certification;

23 (4) the percentage of program participants who have
24 enrolled in an institution of higher education or private or
25 independent institution of higher education, as those terms are
26 defined under Section 61.003; and

27 (5) the percentage of program participants who earned

1 a wage, salary, or other income increase that was significant as
2 determined and reported by the Texas Workforce Commission.

3 (p) Each year, the commissioner shall evaluate the
4 performance of an adult high school program operated under a
5 charter granted under this section based on the applicable
6 performance frameworks adopted under Subsection (o).

7 (q) The commissioner shall adopt rules as necessary to
8 implement and administer the reporting requirements under
9 Subsection (n)(2)(A) and the evaluation provisions of Subsections
10 (o) and (p).

11 (r) The commissioner or an adult education program operated
12 under a charter granted under this section may accept gifts,
13 grants, or donations from any public or private source to be used
14 for purposes of this section.

15 SECTION 2. Section 29.259(1), Education Code, is repealed.

16 SECTION 3. Section 29.259(p), Education Code, as added by
17 this Act, applies beginning with the 2017-2018 school year.

18 SECTION 4. Section 29.259(d), Education Code, as amended by
19 this Act, takes effect only if a specific appropriation is provided
20 for additional funding for the increase in the number of program
21 participants above 150 in a general appropriations act of the 85th
22 Legislature.

23 SECTION 5. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 276 passed the Senate on April 25, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 276 passed the House on May 11, 2017, by the following vote: Yeas 143, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor